

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CHARLESTOWN TOWNSHIP</b>	<b>:</b>	<b>CIVIL ACTION</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	
	<b>:</b>	
<b>UNITED STATES SURETY COMPANY</b>	<b>:</b>	<b>No. 17-CV-5469</b>

**ORDER**

**AND NOW**, this   22<sup>nd</sup>    day of August, 2018, upon consideration of Plaintiff's Motion to Dismiss Count I of Defendant's Counterclaim (Doc. No. 10), Defendant's response, and Plaintiff's reply, **I HEREBY ORDER** that Plaintiff's motion to dismiss is **GRANTED**:

1.     Count I of the Counterclaim is **DISMISSED WITH PREJUDICE**.
2.     Plaintiff shall have twenty (20) days to answer the Counterclaim.

BY THE COURT:

/s/ J. William Ditter, Jr.  
J. WILLIAM DITTER, JR., J.